



City Council Chambers
3300 Capitol Avenue
Fremont, California

City Council

Bob Wasserman, Mayor
Anu Natarajan, Vice Mayor
Bob Wieckowski
Bill Harrison
Suzanne Lee Chan

City Staff

Fred Diaz, City Manager
Harvey E. Levine, City Attorney
Melissa Stevenson Dile, Deputy City Manager

Dawn G. Abrahamson, City Clerk
Harriet Commons, Finance Director
Marilyn Crane, Information Technology Svcs. Dir.
Daren Fields, Economic Dev. Director
Annabell Holland, Parks & Recreation Dir.
Norm Hughes, City Engineer
Jill Keimach, Community Dev. Director
Bruce Martin, Fire Chief
Jim Pierson, Transportation & Ops Director
Michael Rich, Human Resources Director
Jeff Schwob, Planning Director
Suzanne Shenfil, Human Services Director
Craig Steckler, Chief of Police
Elisa Tierney, Redevelopment Director

City Council Agenda and Report [Redevelopment Agency of Fremont]

General Order of Business

1. Preliminary
 - Call to Order
 - Salute to the Flag
 - Roll Call
2. Consent Calendar
3. Ceremonial Items
4. Public Communications
5. Scheduled Items
 - Public Hearings
 - Appeals
 - Reports from Commissions, Boards and Committees
6. Report from City Attorney
7. Other Business
8. Council Communications
9. Adjournment

Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested citizens, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken. Items on the agenda may be moved from the order listed.

Consent Calendar

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address the City Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.



Addressing the Council

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and the number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker card). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said.

Oral Communications

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Oral Communications section of Public Communications. Please submit your speaker card to the City Clerk prior to the commencement of Oral Communications. **Only those who have submitted cards prior to the beginning of Oral Communications will be permitted to speak.** Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker card) and each speaker may only speak once on each agenda item.

To leave a voice message for all Councilmembers and the Mayor simultaneously, dial 284-4080.

The City Council Agendas may be accessed by computer at the following Worldwide Web Address: www.fremont.gov

Information

Copies of the Agenda and Report are available in the lobbies of the Fremont City Hall, 3300 Capitol Avenue and the Development Services Center, 39550 Liberty Street, on Friday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items are available at the Office of the City Clerk.

The regular meetings of the Fremont City Council are broadcast on Cable Television Channel 27 and can be seen via webcast on our website (www.Fremont.gov).

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (510) 284-4060. Council meetings are *open captioned* for the deaf in the Council Chambers and *closed captioned* for home viewing.

Availability of Public Records

All disclosable public records relating to an open session item on this agenda that are distributed by the City to all or a majority of the City Council less than 72 hours prior to the meeting will be available for public inspection in specifically labeled binders located in the lobby of Fremont City Hall, 3300 Capitol Avenue during normal business hours, at the time the records are distributed to the City Council.

Information about the City or items scheduled on the Agenda and Report may be referred to:

Address: City Clerk
City of Fremont
3300 Capitol Avenue, Bldg. A
Fremont, California 94538
Telephone: (510) 284-4060

Your interest in the conduct of your City's business is appreciated.

**NOTICE AND AGENDA OF SPECIAL MEETING
CLOSED SESSION
CITY OF FREMONT
AND
THE REDEVELOPMENT AGENCY**

DATE: Tuesday, May 5, 2009

TIME: 6:00 p.m.

LOCATION: Fremont Room, 3300 Capitol Avenue, Fremont

The City will convene a special meeting. It is anticipated the City will immediately adjourn the meeting to a closed session to confer with and receive advice from its attorney regarding upcoming employee negotiations, as follows:

Council:

- 1) **CONFERENCE WITH LABOR NEGOTIATOR:** The City Council will hold a special meeting which will commence as an open meeting and then adjourn to a closed session as authorized by subdivision (a) of Section 54957.6 of the Government Code for the purpose of reviewing its position for upcoming employee negotiations and for instructing Fred Diaz, City Manager; Melissa Dile, Deputy City Manager; Michael Rich, Human Resources Director; Harvey Levine, City Attorney; Designated Representative Fran Buchanan as the City's negotiators regarding salaries, salary schedules, compensation paid in the form of fringe benefits of its represented and unrepresented employees, and for any other matters within the statutorily provided scope of representation.

The names of the organizations representing employees in question are:

Fremont Association of Management Employees
Fremont Association of City Employees
Operating Engineers
Teamsters Local 856
Fremont Police Association
Professional Engineers and Technicians Association

- 2) **CONFERENCE WITH LABOR NEGOTIATOR:** The City Council will hold a special meeting which will commence as an open meeting and then adjourn to a closed session as authorized by subdivision (a) of Section 54957.6 of the Government Code for the purpose of reviewing its position for upcoming employee negotiations and for instructing Fred Diaz, City Manager; Melissa Dile, Deputy City Manager; Michael Rich, Human Resources Director; Harvey Levine, City Attorney; Designated Representative Fran Buchanan as the City's negotiators regarding salaries, salary schedules, compensation paid in the form of fringe benefits of its represented and unrepresented employees, and for any other matters within the statutorily provided scope of representation.

The names of the organizations representing employees in question are:

Fremont Fire Fighters
Fremont Fire Fighters Battalion Chiefs

The City/Agency will convene a special meeting. It is anticipated the City/Agency will immediately adjourn the meeting to a closed session for granting authority to its real property negotiators regarding price and terms of payment, as follows:

Council and Agency:

- 3) **CONFERENCE WITH REAL PROPERTY NEGOTIATORS:** This Closed Session is authorized by Government Code Section 54956.8 at the time and place stated above to confer with and grant authority to its real property negotiators regarding:

APN# 507-0150-006-1, approximately 25,564 square foot parcel, located at 37482 Niles Blvd., owned by City of Fremont.

APN#507-0150-006-2, approximately 40,493 square foot parcel, located at 37682 Niles Blvd., owned by City of Fremont.

The Brown Act requires the negotiators (even when not attending the meeting) to be listed in this notice. Those negotiators are:

For the City & Agency – (which will be represented at the meeting); Harvey Levine, City Attorney/Agency Counsel and Jack Nagel, Special Counsel.

The Agency will convene a special meeting. It is anticipated the Agency will immediately adjourn the meeting to a closed session for granting authority to its real property negotiators regarding price and terms of payment, as follows:

Agency:

- 4) **CONFERENCE WITH REAL PROPERTY NEGOTIATORS:** This Closed Session is authorized by Government Code Section 54956.8 at the time and place stated above to confer with and grant authority to its real property negotiators regarding:

APN#507-0150-001-2, approximately 13,377 square foot parcel, located at 37822 Niles Blvd., owned by Leonard M. & Margaret TRS Chiu & James Kermit.

For the Agency – (which will be represented at the meeting); Harvey Levine, Agency Counsel and Jack Nagel, Special Counsel.

This Special Meeting is being called by Mayor/Chairman Wasserman.

AGENDA
FREMONT CITY COUNCIL REGULAR MEETING
MAY 5, 2009
COUNCIL CHAMBERS, 3300 CAPITOL AVE., BUILDING A
7:00 P.M.

1. PRELIMINARY

- 1.1 Call to Order
- 1.2 Salute the Flag
- 1.3 Roll Call
- 1.4 Announcements by Mayor / City Manager

2. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.

2.1 *Motion to Waive Further Reading of Proposed Ordinances
(This permits reading the title only in lieu of reciting the entire text.)*

2.2 *Approval of Minutes – None.*

2.3 **PURCHASE AND INSTALLATION OF DIESEL PARTICULATE FILTER EMISSION DEVICES**

Authorization for the City Manager or Designee to Execute a Purchase Order Contract with A-Z Bus Sales, Inc., in the amount not to exceed \$180,876 for the Purchase and Installation of Diesel Particulate Filter Emission Devices

Contact Person:

| | | |
|----------------|---|--|
| <i>Name:</i> | <i>Mark Collins</i> | <i>Frank Morgan</i> |
| <i>Title:</i> | <i>Equipment Maintenance Supervisor</i> | <i>Deputy Director of Maintenance Services</i> |
| <i>Dept.:</i> | <i>Transportation & Operations</i> | <i>Transportation & Operations</i> |
| <i>Phone:</i> | <i>510-979-5739</i> | <i>510-979-5701</i> |
| <i>E-Mail:</i> | <i>mcollins@fremont.gov</i> | <i>fmorgan@fremont.gov</i> |

RECOMMENDATIONS: Authorize the City Manager or designee to execute a purchase order contract with A-Z Bus Sales, Inc., the lowest responsive and responsible bidder, for the purchase and installation of diesel particulate filter systems for up to 12 City vehicles in an amount not to exceed \$180,876.

2.4 CONTRACT FOR IMPLEMENTATION OF A VIRTUAL COMPUTING INFRASTRUCTURE

Award a Contract to Provide File Servers, Storage Hardware, and Professional Services to Implement a Virtual Computing Infrastructure to BEAR Data Systems, Inc.

Contact Person:

*Name: Marilyn Crane
Title: Director
Dept.: Information Technology Services
Phone: 510-494-4802
E-Mail: mcrane@fremont.gov*

RECOMMENDATION: Authorize the City Manager, or designee, to execute an Agreement for the Acquisition of Virtualization Systems and Provision of Professional Services to BEAR Data Systems, Inc., in an amount not-to-exceed \$342,855.17.

3. CEREMONIAL ITEMS

- 3.1 Proclamation: Affordable Housing Week (May 8-17)
- 3.2 Proclamation: Public Service Recognition Week (May 4-10)
- 3.3 Proclamation: Older Americans Month (May 2009)
- 3.4 Proclamation: Brain Education Day (May 8, 2009)

4. PUBLIC COMMUNICATIONS

- 4.1 Oral and Written Communications

REDEVELOPMENT AGENCY – The Redevelopment Agency Board will convene at this time and take action on the agenda items listed on the Redevelopment Agency Agenda. See separate agenda (yellow paper).

PUBLIC FINANCING AUTHORITY – None.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT CALENDAR

5. SCHEDULED ITEMS – None.

6. REPORT FROM CITY ATTORNEY

6.1 Report Out from Closed Session of Any Final Action

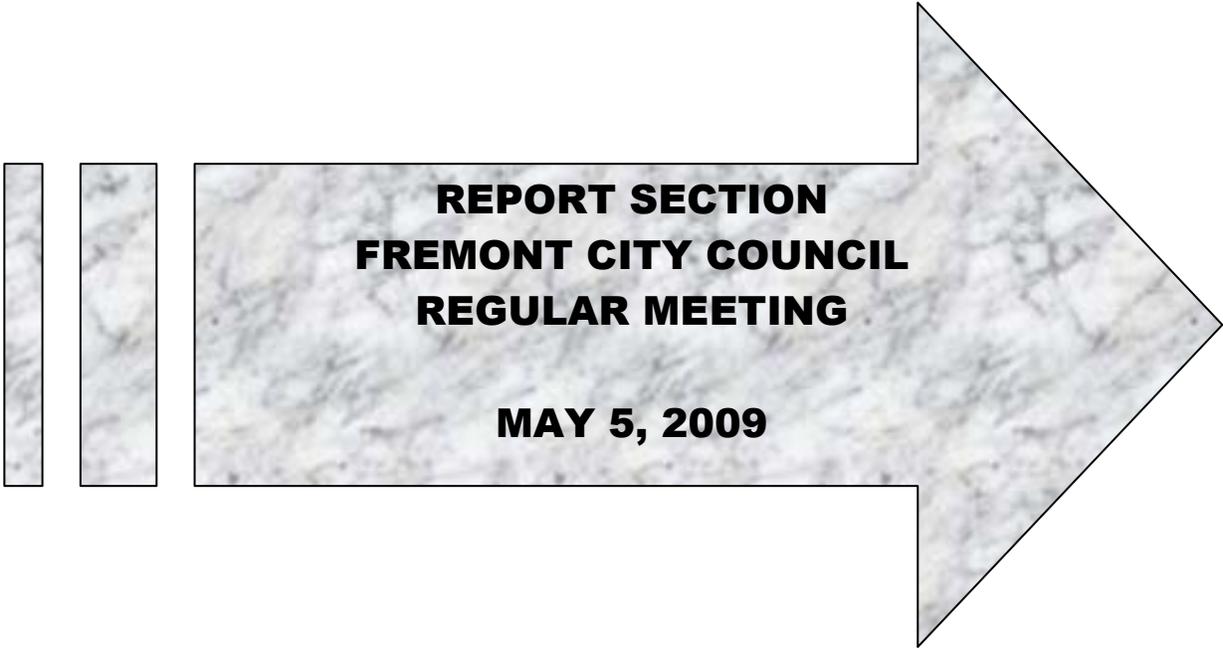
7. OTHER BUSINESS – None.

8. COUNCIL COMMUNICATIONS

8.1 Council Referrals – None.

8.2 Oral Reports on Meetings and Events

9. ADJOURNMENT



***2.3 PURCHASE AND INSTALLATION OF DIESEL PARTICULATE FILTER EMISSION DEVICES**

Authorization for the City Manager or Designee to Execute a Purchase Order Contract with A-Z Bus Sales, Inc., in the amount not to exceed \$180,876 for the Purchase and Installation of Diesel Particulate Filter Emission Devices

Contact Person:

| | | |
|---------|----------------------------------|---|
| Name: | Mark Collins | Frank Morgan |
| Title: | Equipment Maintenance Supervisor | Deputy Director of Maintenance Services |
| Dept.: | Transportation & Operations | Transportation & Operations |
| Phone: | 510-979-5739 | 510-979-5701 |
| E-Mail: | mcollins@fremont.gov | fmorgan@fremont.gov |

Executive Summary: In December 2005, the California Air Resources Board adopted the Fleet Rule for Public Agencies and Utilities to reduce diesel particulate matter emissions from fleets operated by public agencies and utilities. The Fleet Rule applies to 27 of the City’s 29 non-emergency on-road heavy-duty diesel-fueled vehicles that have a manufacturer’s gross vehicle weight rating greater than 14,000 pounds. The rule requires that owners of such vehicles reduce diesel particulate emissions from their vehicles through the application of Best Available Control Technology by certain implementation dates. To comply with the requirements of the Fleet Rule, staff developed a compliance plan that is economically prudent and viable, improves operational efficiencies, and lends itself well to the City’s “green” fleet efforts. A component of this plan requires that 12 City vehicles that are affected by the Fleet Rule be retrofitted with diesel particulate filter emission devices. In September 2008, an invitation for bids for the purchase and installation of diesel particulate filter emission devices was advertised. Two responses were received. After analyzing the responses, staff recommends awarding a purchase order contract in an amount not to exceed \$180,876 to A-Z Bus Sales, Inc., the lowest responsive and responsible bidder.

BACKGROUND: In 1967, California’s Legislature established the Air Resources Board (ARB) to attain and maintain healthy air quality, conduct research into the causes of and solutions to air pollution, and to systematically attack the serious problem caused by motor vehicles, which are the major causes of air pollution in the State. In 1998, the ARB identified diesel particulate matter as a toxic air contaminant. Because of the amount of emissions to California’s air and its potency, diesel particulate matter is a significant contributor to the adverse health impacts of toxic air contaminants. In October 2000, the ARB adopted the “Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles,” which established a goal of reducing emissions and the resultant health risk from virtually all diesel-fueled engines and vehicles within the State of California by 2020.

In December 2005, the ARB adopted the Fleet Rule for Public Agencies and Utilities (Fleet Rule) to reduce diesel particulate matter emissions from fleets operated by public agencies and utilities. The rule applies to on-road heavy-duty diesel-fueled public and utility fleets with a manufacturer’s gross vehicle weight rating greater than 14,000 pounds. The rule mandates that public agency and utility vehicle owners reduce diesel particulate matter emissions from their affected vehicles through the application of Best Available Control Technology (BACT) on these vehicles by specified implementation dates which

are phased-in by engine model year groups. Low utilization vehicles and emergency vehicles are exempted from the Fleet Rule. Each fleet is divided into three groups based on engine model year: Group 1 (1960-1987), Group 2 (1988-2002), and Group 3 (2003-2006). The table below specifies compliance deadlines and the percentage of each group that must be equipped with BACT by those deadlines. Failing to meet compliance requirements could result in the City being cited by the State of California Air Resources Board and/or the California Highway Patrol.

Table 1: Implementation Schedule for Municipal and Utility Fleet Vehicles

| Group | Engine Model Years | Percentage of Group to use BACT | Compliance Deadline, as of December 31 |
|-------|--------------------|---------------------------------|--|
| 1 | 1960-1987 | 20% | 2007 |
| | | 60% | 2009 |
| | | 100% | 2011 |
| 2 | 1988-2002 | 20% | 2007 |
| | | 60% | 2009 |
| | | 100% | 2011 |
| 3 | 2003-2006 | 50% | 2009 |
| | | 100% | 2010 |

BACT requires the use of the highest level control strategy compatible for affected engines. There are several BACT strategies allowed by the Fleet Rule, which affords some flexibility in achieving compliance. These strategies range from the least expensive option of retrofitting vehicles with the highest level ARB verified emission control devices to replacing existing vehicles with new vehicles that have alternative fuel engines or 2007 compliant engines (0.01 g/bhp-hr PM), which is the most expensive option. In addition to the BACT strategies, the City may also elect to retire and not replace affected vehicles in accordance with the City’s Administrative Regulation 4.2: Vehicle Policy and Procedures (AR 4.2).

AR 4.2 establishes general requirements, procedures, and guidelines for the City’s fleet in order to provide efficient, cost effective delivery of service. As such, the Equipment Maintenance Supervisor monitors fleet operating costs, and recommends replacement and/or permanent retirement of vehicles based on facts that include age, mileage, maintenance/repair records, functional use, and salvage value. The City’s fleet is comprised of approximately 600 vehicles and pieces of equipment that include fire engines, police vehicles, general service vehicles, heavy equipment and generators. Included in this fleet complement are 29 non-emergency vehicles that are on-road heavy-duty diesel-fueled vehicles with a manufacturer’s gross vehicle weight rating greater than 14,000 pounds. Staff reviewed the model years, engine specifications, and usage of these 29 vehicles to determine their applicability to the Fleet Rule.

Discussion: Staff’s review of the portion of the City’s fleet that could be subject to the ARB’s Fleet Rule revealed that 27 of the 29 vehicles are affected. The two vehicles that are not affected are exempted from the Fleet Rule due to low utilization. Of the 27 affected vehicles, 21 must be in compliance by December 31, 2009.

In order to meet the most immediate ARB compliance deadline of December 31, 2009, staff determined that it would be in the best economic and operational interest of the City to utilize a combination of compliance strategies. These strategies include the permanent removal of six vehicles from the fleet, replacing three vehicles that are at the end of their useful lives but still required for operational purposes, and retrofitting 12 vehicles that are still functionally sound and necessary for operations with diesel particulate filter emission devices. Although there are currently 12 vehicles that require retrofitting, that number may decrease prior to the December 31, 2009 compliance deadline as staff continues to structure the fleet based on current and planned operational needs. The remaining six vehicles that are subject to the Fleet Rule do not pose an immediate threat to the City's ability to comply with the ARB's requirements, and will therefore be re-evaluated at a later date and addressed with an appropriate compliance strategy by December 31, 2011 in accordance with the ARB's compliance requirements and schedule. These strategies are in alignment with the policy and procedures set forth in AR 4.2 and also complement the City's ongoing effort to "green" the fleet in an economically responsible manner.

In anticipation of the impacts of the Fleet Rule on the City's fleet, staff issued an invitation for bids for the purchase and installation of diesel particulate filter emission devices that are compatible with affected City vehicles and that meet all mandated ARB reduced emission requirements. Of the two companies that responded, A-Z Bus Sales, Inc., was determined to be the lowest responsive and responsible bidder, at a total cost of \$15,073 per vehicle. Staff is therefore recommending that a purchase order contract be awarded to A-Z Bus Sales, Inc., in the amount of \$180,876 for the purchase and installation of diesel particulate filter emission devices for up to 12 City vehicles.

Funding: Below is a summary of the financial implications of the proposed strategies to ensure compliance with the ARB's Fleet Rule discussed above:

- By permanently removing six vehicles from the fleet, the City will save \$90,438 in retrofit device costs.
- Funding in the amount of \$365,318 for the replacement of three on-road heavy-duty diesel-fueled vehicles is already included in the FY 2008/09 Revised Fleet Replacement Plan, and appropriated in the Vehicle Replacement Fund (Fund 610).
- Funding in the amount of \$260,000 for diesel particulate trap retrofits was appropriated in the FY 2007/08 – 2011/12 Capital Improvement Program in the General Capital Projects Fund (Fund 501). This provides sufficient funding for the cost of the 12 vehicles that require diesel particulate filter emission devices by December 31, 2009. Any remaining funds in this account will be rolled over into future year budgets until the remaining six vehicles are in compliance.

ENCLOSURE: None

RECOMMENDATIONS: Authorize the City Manager or designee to execute a purchase order contract with A-Z Bus Sales, Inc., the lowest responsive and responsible bidder, for the purchase and installation of diesel particulate filter systems for up to 12 City vehicles in an amount not to exceed \$180,876.

***2.4 CONTRACT FOR IMPLEMENTATION OF A VIRTUAL COMPUTING INFRASTRUCTURE**

Award a Contract to Provide File Servers, Storage Hardware, and Professional Services to Implement a Virtual Computing Infrastructure to BEAR Data Systems, Inc.

Contact Person:

Name: Marilyn Crane
Title: Director
Dept.: Information Technology Services
Phone: 510-494-4802
E-Mail: mcrane@fremont.gov

Executive Summary: The purpose of this report is to recommend that the City Council award a contract to BEAR Data Systems, Inc., in the amount not-to-exceed \$342,855.17, to provide equipment and professional services to implement a virtual computing infrastructure for the City. The City hired a consultant, INX, Inc., who conducted a virtualization assessment of the City’s existing file server and storage environment. The consultant subsequently created a recommended design for consolidation of the City’s computing environment. The design requirements were included in a Request for Proposals (RFP) that was issued on January 8, 2009. The RFP closed on February 11, 2009, and eleven proposals were received from nine vendors. After an evaluation was completed, it was determined that BEAR Data Systems, Inc. (hereinafter “BEAR”), submitted a proposal that is most advantageous for the City and met all of the RFP requirements. The total cost of the proposal is \$327,855.17, including sales tax and shipping costs, for the virtual host servers, storage area network (hereinafter “SAN”), network switches, miscellaneous hardware and software, and professional services for the virtualization project. Staff recommends that the City Council authorize the City Manager, or his designee, to execute a contract with BEAR Data Systems, Inc., for the acquisition of hardware and software and provision of professional services to implement the virtual computing infrastructure in an amount not-to-exceed \$342,855.17. This amount includes an additional \$15,000.00 for unforeseen equipment and/or professional services that may be required to implement the project.

BACKGROUND: The City currently has approximately eighty physical servers that are typically configured on a one-for-one ratio with associated applications. The City’s existing storage is predominantly physical drives attached to the individual servers. The City hired a consultant, INX, Inc., who performed a virtualization assessment of sixty-seven servers that were potential candidates for virtualization. The consultant also held a two-day whiteboard session with staff resulting in a design that was used in the RFP requirements. The design included a recommendation for the consolidation of forty-eight of the sixty-seven server candidates into four virtual host servers with a storage area network (SAN) along with the appropriate network switches and miscellaneous hardware and software. The City previously researched virtual products and selected VMware as the software to use in its virtual computing infrastructure. The VMware software licenses were purchased through a separate competitive bidding process in December 2008.

Pacific Gas & Electric (PG&E) conducted an assessment of the City’s energy usage in the existing computing environment as part of its “going green” incentive program. Consolidation of the forty-eight physical servers to four virtual host servers will reduce power consumption resulting in an estimated

energy cost savings of \$13,050 per year and reduce greenhouse gas emissions by about 74,700 pounds annually. In addition, the City is eligible for a one-time rebate from PG&E in the estimated amount of \$7,253.

Discussion: Many organizations are consolidating large numbers of physical file servers in data centers into fewer, but more powerful, computers that host “virtual” servers to maximize the use of server resources. The benefits of virtualization include lower maintenance and operating costs and more rapid deployment when new servers are required. By consolidating data storage from physical drives on each individual server to a central storage area network (SAN), the data storage costs are less and staff can provide storage from a central pool rather than from the limited storage on a single physical server. Consolidating servers and storage also offers a computing environment that reduces the cost and complexity of business continuity by offering a faster recovery process to restore critical data or systems due to a major failure or disaster, thereby reducing downtime of applications.

The RFP presented the requirements necessary for the virtual server hardware, storage area network (SAN), network switches and miscellaneous hardware and software to virtualize the City’s computing environment based on the virtualization assessment conducted by an outside consultant. The RFP requirements included professional services to configure the VMware software on the new virtual host servers as well as the implementation of a storage area network (SAN) device.

The RFP was distributed to vendors on January 8, 2009. The RFP closed on February 11, 2009. The City received eleven proposals from the following nine vendors: BEAR Data Systems, Inc.; Lilien LLC; Logicalis, Inc.; Integrated Archive Solutions, Inc.; Fujitsu Computer Systems; Akibia, Inc.; Sable Computer, Inc., dba Keep IT Simple Computer Center; Pillar Data Systems; and INX, Inc.

Staff performed an in-depth review of the eleven proposals and checked them for completion of submittals and total cost. The proposals were evaluated using the following criteria: a) functionality of the proposed servers, SAN, switches, software and hardware to meet the requirements; b) proposer’s related experience in implementations of virtualized environments for governmental agencies of comparable size; c) overall cost to provide the products and services for the project to include the hardware, software, implementation, training, licensing and ongoing technical support; d) implementation including the team members assigned to the project, support provided during implementation and timeline; e) completeness of submitted documents and acceptance of terms and conditions of the agreement; and f) availability and quality of training, user documentation and online assistance.

Two of the nine proposers (BEAR Data Systems, Inc., and Lilien LLC) ranked the highest based on the evaluation criteria and passed on to the next stage of the evaluation process. Follow-up questions were sent to each of these two vendors for clarifications in the proposed storage area network (SAN) and for future upgrade and operating costs to expand the SAN. After those clarifications were received, staff selected the proposal submitted by BEAR for further evaluation and attended a demonstration of the proposed SAN. Subsequently, staff contacted the references provided by BEAR and asked a series of questions. The evaluation team determined that BEAR submitted the proposal that is the most advantageous to the City for this project. BEAR has experience in the implementation of the virtual servers and VMware software as well as with the SAN and they met all of the proposal requirements. The servers, network switches and miscellaneous hardware and software come with a standard three-

year warranty. The SAN comes with a standard five-year hardware warranty covering all parts and labor.

Funding: A cost breakdown for the project is as follows:

| | |
|---|---------------------|
| Virtual Host Servers, Dell PowerEdge R710 | \$ 39,503.87 |
| SAN, Xiotech Emprise 7000 | \$160,028.27 |
| Network Switches, Cisco MDS 9222i | \$ 63,256.79 |
| Miscellaneous Hardware and Software | \$ 13,591.24 |
| Professional Services | \$ 51,475.00 |
| Contingency | \$ 15,000.00 |
| TOTAL PROJECT COSTS | \$342,855.17 |

Based on the contract amounts and project cost estimates, there are sufficient funds budgeted for this project in the Information Technology Services Department's FY 2008/09 budget (620-1713-7510 and 620-1716-7510).

ENCLOSURE: None

RECOMMENDATION: Authorize the City Manager, or designee, to execute an Agreement for the Acquisition of Virtualization Systems and Provision of Professional Services to BEAR Data Systems, Inc., in an amount not-to-exceed \$342,855.17.

6.1 Report Out from Closed Session of Any Final Action

8.1 Council Referrals – None.

8.2 Oral Reports on Meetings and Events

ACRONYMS

| | | | |
|---------------|--|--------------|---|
| ABAG..... | Association of Bay Area Governments | FUSD | Fremont Unified School District |
| ACCMA | Alameda County Congestion Management Agency | GIS | Geographic Information System |
| ACE | Altamont Commuter Express | GPA..... | General Plan Amendment |
| ACFCD..... | Alameda County Flood Control District | HARB | Historical Architectural Review Board |
| ACTA | Alameda County Transportation Authority | HBA | Home Builders Association |
| ACTIA..... | Alameda County Transportation Improvement Authority | HRC | Human Relations Commission |
| ACWD..... | Alameda County Water District | ICMA | International City/County Management Association |
| BAAQMD | Bay Area Air Quality Management District | JPA..... | Joint Powers Authority |
| BART | Bay Area Rapid Transit District | LLMD | Lighting and Landscaping Maintenance District |
| BCDC | Bay Conservation & Development Commission | LOCC..... | League of California Cities |
| BMPs | Best Management Practices | LOS | Level of Service |
| BMR | Below Market Rate | MOU | Memorandum of Understanding |
| CALPERS..... | California Public Employees' Retirement System | MTC..... | Metropolitan Transportation Commission |
| CBD..... | Central Business District | NEPA | National Environmental Policy Act |
| CDD..... | Community Development Department | NLC..... | National League of Cities |
| CC & R's..... | Covenants, Conditions & Restrictions | NPDES..... | National Pollutant Discharge Elimination System |
| CDBG..... | Community Development Block Grant | NPO..... | Neighborhood Preservation Ordinance |
| CEQA | California Environmental Quality Act | PC..... | Planning Commission |
| CERT | Community Emergency Response Team | PD | Planned District |
| CIP..... | Capital Improvement Program | PUC..... | Public Utilities Commission |
| CMA | Congestion Management Agency | PVAW..... | Private Vehicle Accessway |
| CNG..... | Compressed Natural Gas | PWC..... | Public Works Contract |
| COF | City of Fremont | RDA | Redevelopment Agency |
| COPPS..... | Community Oriented Policing and Public Safety | RFP | Request for Proposals |
| CSAC..... | California State Association of Counties | RFQ..... | Request for Qualifications |
| CTC | California Transportation Commission | RHNA | Regional Housing Needs Allocation |
| dB | Decibel | ROP..... | Regional Occupational Program |
| DEIR..... | Draft Environmental Impact Report | RRIDRO | Residential Rent Increase Dispute Resolution Ordinance |
| DO | Development Organization | RWQCB..... | Regional Water Quality Control Board |
| DU/AC..... | Dwelling Units per Acre | SACNET | Southern Alameda County Narcotics Enforcement Task Force |
| EBRPD | East Bay Regional Park District | SPAA | Site Plan and Architectural Approval |
| EDAC | Economic Development Advisory Commission (City) | STIP | State Transportation Improvement Program |
| EIR..... | Environmental Impact Report (CEQA) | TCRDF..... | Tri-Cities Recycling and Disposal Facility |
| EIS | Environmental Impact Statement (NEPA) | T&O | Transportation and Operations Department |
| ERAF | Education Revenue Augmentation Fund | TOD | Transit Oriented Development |
| EVAW | Emergency Vehicle Accessway | TS/MRF | Transfer Station/Materials Recovery Facility |
| FAR | Floor Area Ratio | UBC | Uniform Building Code |
| FEMA..... | Federal Emergency Management Agency | USD..... | Union Sanitary District |
| FFD..... | Fremont Fire Department | VTA | Santa Clara Valley Transportation Authority |
| FMC..... | Fremont Municipal Code | WMA | Waste Management Authority |
| FPD..... | Fremont Police Department | ZTA..... | Zoning Text Amendment |
| FRC..... | Family Resource Center | | |

**UPCOMING MEETING AND CHANNEL 27
BROADCAST SCHEDULE**

| <i>Date</i> | <i>Time</i> | <i>Meeting Type</i> | <i>Location</i> | <i>Cable Channel 27</i> |
|--|-------------|------------------------------|------------------|-------------------------|
| May 12, 2009 | 7:00 p.m. | City Council Meeting | Council Chambers | Live |
| May 19, 2009 | 7:00 p.m. | City Council Meeting | Council Chambers | Live |
| May 26, 2009 | 6:00 p.m. | Special Council Work Session | Council Chambers | Live |
| June 2, 2009 | 7:00 p.m. | City Council Meeting | Council Chambers | Live |
| June 9, 2009 | 7:00 p.m. | City Council Meeting | Council Chambers | Live |
| June 16, 2009 | TBD | Work Session | Council Chambers | Live |
| June 23, 2009 | 7:00 p.m. | City Council Meeting | Council Chambers | Live |
| June 30, 2009 (5 th Tuesday) | | No Meeting | | |
| July 7, 2009 | 7:00 p.m. | City Council Meeting | Council Chambers | Live |
| July 14, 2009 | 7:00 p.m. | City Council Meeting | Council Chambers | Live |
| July 21, 2009 | TBD | Work Session | Council Chambers | Live |
| July 28, 2009 | 7:00 p.m. | City Council Meeting | Council Chambers | Live |
| August | | Council Recess | | |